

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	No. CR17-0310-JCC
)	
Plaintiff,)	ORDER
)	
v.)	
)	
MATTHEW HARBERT,)	
)	
Defendant.)	

This matter comes before the Court on Defendant's second unopposed motion to continue trial and the pretrial motions deadline (Dkt. No. 19). Having considered the relevant record and Defendant's waiver of speedy trial (Dkt. No. 20), the Court hereby finds that:

(a) taking into account the exercise of due diligence, a failure to grant a continuance in this case would deny counsel for the defendant the reasonable time necessary for effective preparation due to counsel's need for more time to review the evidence, consult an expert, and gather evidence material to the defense, as set forth in 18 U.S.C. § 3161(h)(7)(B)(iv);

(b) failure to grant such a continuance in this proceeding would likely result in a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i);

(c) the additional time requested is a reasonable period of delay, as the defendant has requested more time to prepare for trial, to consult with forensic experts, and to consider related additional discovery requests and pretrial motions;

1 (d) the ends of justice will best be served by a continuance, and the ends of justice
2 outweigh the best interests of the public and the defendant in any speedier trial, as set forth in
3 18 U.S.C. § 3161(h)(7)(A);

4 (e) the additional time requested between the current trial date of July 9, 2018 and the
5 new trial date is necessary to provide counsel for the defendant the reasonable time necessary
6 to prepare for trial, considering counsel's schedule and all of the facts set forth above; and

7 (f) the period of delay from the date of this order to the new trial date is excludable
8 time pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (h)(7)(B)(iv).

9 The Court therefore ORDERS that the trial date in this matter shall be continued from
10 July 9, 2018 to January 28, 2019 at 9:30 am. Pretrial motions shall be filed no later than
11 December 20, 2018.

12 Dated this 18th day of May 2018.

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A handwritten signature in black ink, reading "John C. Coughenour", is written over a horizontal line.

JOHN C. COUGHENOUR
United States District Judge